

ESTTA Tracking number: **ESTTA377204**

Filing date: **11/05/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053220
Party	Plaintiff Herbalife International, Inc.
Correspondence Address	ELIZABETH A LINFORD LADAS & PARRY LLP 5670 WILSHIRE BOULEVARD , SUITE 2100 LOS ANGELES, CA 90036 UNITED STATES elinford@la.ladas.com
Submission	Other Motions/Papers
Filer's Name	Elizabeth A. Linford
Filer's e-mail	elinford@la.ladas.com
Signature	/elizabeth a linford/
Date	11/05/2010
Attachments	Notification of Additional Service.PDF (5 pages)(136745 bytes)

Notification of Additional Service
Cancellation No. 92053220
Reg. No. 2,684,025
Mark: FITMIND
Registrant: Thomas H. Crook, III, Ph.D.
Petitioner: Herbalife International, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of:

Trademark Registration Number 2,684,025

For the mark: FITMIND

Class: 5

Registered: February 4, 2003

HERBALIFE INTERNATIONAL, INC.,

Petitioner,

v.

THOMAS H. CROOK, III, PH.D.,

Registrant.

Cancellation No. 92053220

NOTIFICATION OF ADDITIONAL SERVICE

On November 1, 2010, Petitioner, Herbalife International, Inc. ("Petitioner"), filed a Petition to Cancel against Trademark Registration Number 2,684,025 in the name of Thomas H. Crook, III, Ph.D. ("Registrant"). The Petition to Cancel was served on the Registrant at the following address, as identified in TESS (Trademark Electronic Search System):

Thomas H. Crook, III, Ph.D.
4240 Galt Ocean Drive, #2003
Fort Lauderdale, FL 33308

Pursuant to 37 C.F.R. §2.101(b), Registrant hereby notifies the Board of its receipt of the returned service copy.

Notification of Additional Service
Cancellation No. 92053220
Reg. No. 2,684,025
Mark: FITMIND
Registrant: Thomas H. Crook, III, Ph.D.
Petitioner: Herbalife International, Inc.

On November 4, 2010, the service copy of the Petition to Cancel mailed to the foregoing address was returned with a message dated November 2, 2010 from the U.S. Postal Service reading,

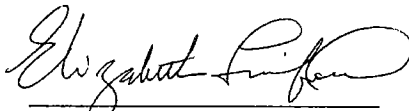
Forward Time Exp Rtn to Send
Crook
175 1st St S Apt 2804
St Petersburg FL 33701-4534
Return To Sender

A copy of the returned envelope is attached hereto as Exhibit A and incorporated by reference herein.

As Registrant's counsel is unaware of any other address for Registrant (who does not appear to be currently represented by counsel in regard to Trademark Registration Number 2,684,025), Petitioner's counsel will re-serve the Petition to Cancel upon the Registrant at the address identified herein as provided by the U.S. Postal Service, in addition to a copy of this Notice of Additional Service.

Respectfully submitted,

Date: November 5, 2010



Elizabeth A. Linford
Attorney for Petitioner

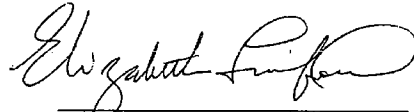
LADAS & PARRY LLP
5670 Wilshire Boulevard, Suite 2100
Los Angeles, CA 90036
Tel.: 323-934-2300
Fax: 323-934-0202
Email: elinford@la.ladas.com

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via ESSTA (*Electronic System for Trademark Trials and Appeals*) on the date identified below.

Date: November 5, 2010

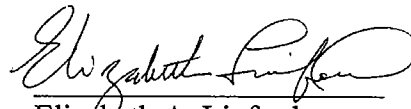

Elizabeth A. Linford

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **NOTIFICATION OF ADDITIONAL SERVICE** has been served on Registrant on this 5th day of November 2010 via First Class Mail, postage prepaid, to:

Thomas H. Crook, III, Ph.D.
175 1st Street S. Apt. 2804
St. Petersburg, Florida 33701-4534

Date: November 5, 2010


Elizabeth A. Linford

Notification of Additional Service
Cancellation No. 92053220
Reg. No. 2,684,025
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Registrant: Thomas H. Crook, III, Ph.D.
Petitioner: Herbalife International, Inc.

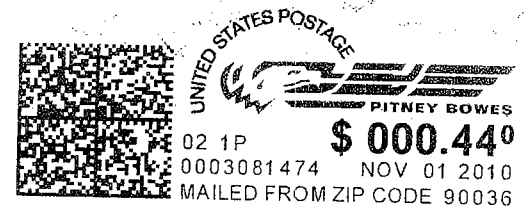
EXHIBIT A

**COPY OF RETURNED ENVELOPE
IDENTIFYING ALTERNATE ADDRESS FOR REGISTRANT**



LADAS & PARRY LLP
INTELLECTUAL PROPERTY LAW

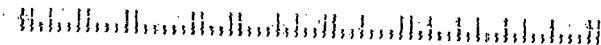
5670 WILSHIRE BOULEVARD
LOS ANGELES, CA 90036



Thomas H. Crook, III, Ph.D.
4240 Galt Ocean Drive, #2003
Fort Lauderdale, FL 33308

*X 500 NSE 1 8091 02 11/02/10
FORWARD TIME EXP RTN TO SEND
CROOK
175 1ST ST S APT 2804
ST PETERSBURG FL 33701-4534

RETURN TO SENDER



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90036@5679